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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/214,022 12/23/98 LASSON

R TP1192-US

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IM22/0409

EXAMINER

CHEVALIER, A	
ART UNIT	PAPER NUMBER

1772

DATE MAILED:

04/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/214,022

Applicant(s)

LASSON, ROLF

Examiner

Alicia Chevalier

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1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-17 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 14-17 and 19-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 20) ☐ Other: _____

RESPONSE TO AMENDMENT

REJECTIONS REPEATED

1. The 35 U.S.C. 102 rejection of claims 14-16, 19-21, 24-25, 27, and 29-30 as anticipated by Skjelby (4,206,867) is repeated for reasons previously of record in paper #4, page 5, paragraph #15 and paper #10, page 3, paragraph #7.
2. The 35 U.S.C. 103 rejection of claims 22, 23, 26, and 28 over Skjelby (4,206,867) is repeated for reasons previously of record in paper #4, page 6-7, paragraph #19.
3. The 35 U.S.C. 103 rejection of claim 17 over Skjelby (4,206,867) is repeated for reasons previously of record in paper #8, page 3-4, paragraph #9.

NEW REJECTIONS

4. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

Claim Rejections - 35 USC § 112

5. Claims 14-17 and 19-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural

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cooperative relationships are: plurality of linear fold regions. It is unclear from the claim language how the plurality of linear fold regions are related to the first and second layers.

The phrase “the first and second layers separate from one another” in claims 14, 19, and 27 is unclear which renders the claims vague and indefinite. It is unclear how the first and second layers are separate from one another if they are bonded to one another.

Claim Rejections - 35 USC § 102

6. Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Skjelby (4,206,867) is repeated for reasons previously of record in paper #4, page 5, paragraph #15.

Claims 19-26 are noted to contain nominal method steps. At this time restriction has not been required between the product claims 14-17 and 27-30 and the method claims 19-26 because the method claims do not recite any significant manipulative method steps and therefore are considered as part of the product claims. If the method claims are amended to contain significant method steps they will be subject to restriction based on original presentation.

ANSWERS TO APPLICANT'S ARGUMENTS

7. Applicant's arguments filed in paper #13 regarding the changes to the independent claims 14, 19, and 27 have been carefully considered but are moot due to the new grounds of rejection.

8. Applicant arguments filed in paper #13 regarding the Skjelby reference have been carefully considered but are deemed unpersuasive.

Applicant argues that there is nothing in Skjelby that discloses a laminate or method for making the laminate or a container made from the laminate. Further where the laminate is

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formed of layers that are bonded to one another having a first bond strength in a non-folded region and a second lesser bond strength at the folded region. The Examiner disagrees with this assessment of Skjelby. Skjelby discloses a coated paper board with a plurality of fold and non-fold regions. Where the non-fold regions are treated with an adhesive with a first bond strength and the fold regions are treated with an adhesive second bond strength.

Conclusion


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (703) 305-1139. The Examiner can normally be reached on Monday through Thursday from 8:00 a.m. to 5:00 p.m. The Examiner can also be reached on alternate Fridays

If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor Blaine Copenheaver can be reached by dialing (703) 308-1261. The fax phone number for the organization official non-final papers is (703) 305-5436. The fax number for after final papers is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose phone number is (703) 308-0661.

ac

04/02/01


BLAINE COPENHEAVER
PRIMARY EXAMINER